IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
Civil Misc. Writ Petition No. 434 (S/S) of 2004

Smt. Kamla W/o Late Sri Kirti Ram
R/o 9-A Amar Colony Subhash Nagar
Jwalapur
District Haridwar …Petitioner

Versus

State of Uttaranchal & others …Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri Pankaj Niglani learned counsel for the petitioner and learned Standing Counsel for the respondents.

By means of this writ petition the petitioner has prayed for direction to the respondents to correct the age of the petitioner as 56 on 19.07.2003.

Brief facts of the petition are that the petitioner is serving as a Cook in Health Department. According to the date of birth recorded in the Service Book, the petitioner is to be retired on 30.04.2004. Consequently, a notice was issued to this effect by the Department, which the petitioner has not annexed with the writ petition. Learned counsel for the petitioner has submitted that she has appeared before the Chief Medical Officer. According to the Chief Medical Officer's certificate, her age is about 56 years as on 19.07.2003.

As per U.P. Recruitment To Service (Determination of Date of Birth) Rules 1974, Rule 5, the government Servant who has no High School Certificate, the date of birth recorded in the Service Book shall be treated as final. In the present case also, the petitioner is illiterate and has no date of birth certificate.

There is no illegality in issuing such notice to the petitioner that she is to be retired on 30.04.2004 and no need to correct the date of birth absence of High School Certificate.

With these observations, the writ petition is dismissed. No order as to costs.

28.04.2004 Sd/-
ASWAL